

## **REMARKS**

### **I. Introduction**

Applicants thank Examiner Chawan for the consideration of the application, as detailed in the Office action dated 16 November 2004. Claims 1, 10, and 12 have been amended, with no new matter added, claims 8, 9, and 20 have been cancelled. With claims 1-7 and 10-19 remaining under prosecution in this application, applicant respectfully requests reconsideration of the application in view of the following arguments.

### **II. Specification**

The disclosure is objected to because of informality on page 12. The informality has been addressed and corrected. With this in view, applicant believes that the objection is overcome and respectfully submits that it be withdrawn.

### **III. Claim rejection under 35 U.S.C. § 102**

Claims 1-5 were rejected under 35 U.S.C. § 102(e) as being anticipated by Machida et al. (US 6,476,913).

The applicant respectfully traverses.

Independent claim 1 has been amended to include two more limitations – repairing the defect (from claim 8, currently canceled) and eliminating the defect finder mark (from claim 9, also currently canceled). These limitations are not disclosed in Machida et al.

Serial No. 09/991,341  
Atty Docket 67,200-435

For that reason, the 35 U.S.C. § 102(e) rejection of claim 1 is believed to be overcome, and applicant respectfully submits that it be withdrawn.

#### **IV. Claim rejection under 35 U.S.C. §103**

Claims 6-9, 12-20 were rejected under 35 U.S.C. §103(a) as unpatentable over Machida et al in view of Higashikawa (US 6,765,673).

The applicant respectfully disagrees.

Independent claim 12 has been amended to include one more limitation – eliminating the defect finder mark (from claim 20, currently canceled).

With regard to claims 9 and 20, the Office action cites Machida et al (columns 39-41) as disclosing the step of eliminating the defect finder mark from the photomask.

The careful examination of Machida et al shows that neither columns 39-41 nor any other column of that patent appear to disclose the step of eliminating the defect finder mark from the photomask.

With the above in view, applicant believes that the 35 U.S.C. §103 rejection is overcome and applicant respectfully submits that it be withdrawn and claims 1 and 12, as amended, be allowed.

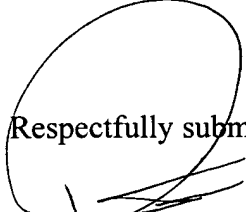
Claims 2-7, 10, 11 and 13-19 are believed to be patentable as depending from allowable base claims 1 and 12, respectively.

Serial No. 09/991,341  
Atty Docket 67,200-435

### **V. Conclusion**

All the above considered, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Respectfully submitted



---

Randy W. Tung (31,311)